(SRI D. VENKATESH.)

including representatives of labour as well as employer in the Works Committee ?

Sri A. G. RAMACHANDRA RAO.— Yes.

Sri D. VENKATESH.—Is it not a fact that both the management representation and labour representation have to be elected by the employer ?

Sri A. G. RAMACHANDRA RAO.— Yes.

Sri D. VENKATESH.—Is it not an infringement of the fundamental rights of the workers to get their representatives elected by themselves ?

Sri A. G. RAMACHANDRA RAO.— They would be right if they do so.

Sri D. VENKATESH.—Has it not come to the notice of Government that because such representatives are elected by the employers, the Labour Associations are reluctant ?

Sri A. G. RAMACHANDRA RAO.— That is not the only reason. There are several Labour Unions that do not agree to the personnel.

Sri D. VENKATESH.—Do Government re-examine the rule ?

Sri A. G. RAMACHANDRA RAO.— We will examine it.

Sri K. S. VASAN.—Is it not a statutory obligation on the part of the employer to constitute these Works Committees ?

Sri A. G. RAMACHANDRA RAO.— Yes, it is one of the obligations.

Employees removed to defeat Section 41 of Mysore Shops and Establishments Act.

Q.—872. **Sri R. ANANTARAMAN** (Chamarajpet).—

Will the Government be pleased to state :—

(*a*) whether instances are brought to their notice that employers have dispensed with the services of persons employed to defeat the object of Section 41 of the Mysore Shops and Establishments Act, 1948 ;

(*b*) whether the Government are contemplating to amend the above section ?

A.—**Sri A. G. RAMACHANDRA RAO** (Minister for Law and Education). —

(*a*) A few complaints have been received by the Inspectors and they are making the necessary enquiries.

(*b*) the matter is under the consideration of Government.

Sri R. ANANTARAMAN.—Is it not a fact that such instances are in the case of hotel workers mostly ?

***Sri A. G. RAMACHANDRA RAO.**— I cannot say mostly ; but there have been complaints.

Sri R. ANANTARAMAN —Under the Madras Act is it not a fact that in such cases the employee should be reinstated or paid compensation, Sir ?

Sri A. G. RAMACHANDRA RAO.— I do not remember the Madras Act just at present.

Sri R. ANANTARAMAN.—Is it not a fact that the employers should pay compensation or reinstate the worker ?

Sri A. G. RAMACHANDRA RAO.— Possibly.

Sri R. ANANTARAMAN.—Will it not cause great hardship to the emloyees if this choice is given to the employer ?

Sri A. G. RAMACHANDRA RAO.— It may be a matter of advantage to the worker as well.

Sri R. ANANTARAMAN.—Are you not aware that the employees are sent away even earlier than six months ?

Sri A. G. RAMACHANDRA RAO.— In our Act there is a limit of six months. If that limit were to pass, then, he will have a right to apply.

Sri R. ANANTARAMAN.—Are there not cases where workers are sent away even within that period ?

Sri A. G. RAMACHANDRA RAO.— Possible ; there may be such cases.

Sri R. ANANTARAMAN.—Is it right to do so, Sir ?

Sri A. G. RAMACHANDRA RAO.— In my opinion that six months' limit is natural and necessary.

Sri D. VENKATESH.—Is it not a fact that it was promised on the floor of this House that they would revise this in accordance with the Central Act ?

Sri A. G. RAMACHANDRA RAO.— We have examined that.